



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBb0058/P1 P2

MED:cjs:ph

stays

LFB:.....Zimmerman - Electronic publication of administrative code and register

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY BILL 40**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 66, line 5: after that line insert:

3 “**SECTION 27d.** 13.92 (1) (bm) (intro.) of the statutes is amended to read:

4 13.92 (1) (bm) *Revision of statutes.* (intro.) The legislative reference bureau  
5 shall prepare copy for the biennial Wisconsin statutes for publication under s. 35.18  
6 (1), and for this purpose it:

7 **SECTION 27de.** 13.92 (1) (bm) 1. of the statutes is amended to read:

8 13.92 (1) (bm) 1. Shall formulate and prepare a definite plan for the order,  
9 classification, arrangement, ~~printing~~ and ~~binding~~ publication of the statutes, and  
10 prepare and at each session of the legislature present bills to the law revision

1 committee of the joint legislative council containing such consolidation, revision, and  
2 other matter relating to the statutes as time permits.

3 **SECTION 27dh.** 13.92 (1) (bm) 3. of the statutes is amended to read:

4 13.92 (1) (bm) 3. May, where the application or effect of a statute, by its terms,  
5 depends on the time when the act creating the statute took effect, substitute the  
6 actual effective date for the various forms of expression which mean that date, such  
7 as “when this act (or chapter, or section) takes effect”, or “after (or before) the effective  
8 date of this act (or chapter, or section)”, in ~~preparing copy for the biennial printing~~  
9 ~~of publishing~~ the Wisconsin statutes under s. 35.18 (1).

10 **SECTION 27g.** 13.92 (1) (f) of the statutes is created to read:

11 13.92 (1) (f) *Archives.* 1. The legislative reference bureau shall permanently  
12 maintain each act published under s. 35.095 (3) (a) on the Internet in an electronic  
13 file format that the legislative reference bureau determines to be appropriate to  
14 allow for the continued usability of the previously published acts and may change the  
15 electronic file format over time to assure continued usability.

16 2. The legislative reference bureau shall maintain a permanent database of the  
17 statutes published under s. 35.18 (1) (b) in an electronic file format that the  
18 legislative reference bureau determines to be appropriate to allow for the continued  
19 usability of the previously published statutes and may change the electronic file  
20 format over time to assure continued usability.

21 3. The legislative reference bureau shall permanently maintain each  
22 Wisconsin administrative register published under s. 35.93 (2) on the Internet in an  
23 electronic file format that the legislative reference bureau determines to be  
24 appropriate to allow for the continued usability of the previously published registers  
25 and may change the electronic file format over time to assure continued usability.

1           4. a. The legislative reference bureau shall permanently maintain each chapter  
2 of the Wisconsin administrative code published under s. 35.93 (3) on the Internet in  
3 an electronic file format that the legislative reference bureau determines to be  
4 appropriate to allow for the continued usability of the previously published chapters  
5 and may change the electronic file format over time to assure continued usability.

6           b. The legislative reference bureau shall print one or more copies of each  
7 administrative code chapter published under s. 35.93 (3) and preserve the printed  
8 copies as a permanent archive. The legislative reference bureau may print and  
9 distribute additional copies to other agencies or persons as it considers to be  
10 appropriate for archival purposes.

11           **SECTION 27j.** 13.92 (2) (i) of the statutes is amended to read:

12           13.92 (2) (i) Serve as editor of the biennial Wisconsin statutes. ~~In preparing~~  
13 ~~each edition, if~~ If 2 or more acts of a legislative session affect the same statutory unit  
14 without taking cognizance of the effect thereon of the other acts and if the chief finds  
15 that there is no mutual inconsistency in the changes made by each such act, the chief  
16 shall incorporate the changes made by each act into the text of the statutory unit and  
17 document the incorporation in a note to the section statutory unit. For each such  
18 incorporation, the chief shall include in a correction bill a provision formally  
19 validating the incorporation. Section 990.07 is not affected by ~~printing~~ decisions  
20 made by the chief under this paragraph.

21           **SECTION 27L.** 13.92 (2) (j) of the statutes is amended to read:

22           13.92 (2) (j) Prior to ~~August 1~~ the end of each even-numbered year, report to  
23 the law revision committee those reported opinions of the attorney general, and those  
24 reported decisions of any federal district court, or any state or federal appellate court,

1 in which Wisconsin statutes or session laws are stated to be in conflict, ambiguous,  
2 anachronistic, unconstitutional, or otherwise in need of revision.

3 **SECTION 27p.** 13.92 (2m) (title), (a), (b) and (d) of the statutes are amended to  
4 read:

5 13.92 (2m) (title) ~~PRINTING~~ PUBLICATION COSTS.

6 (a) ~~Printing Publication~~ of the Wisconsin statutes under s. 35.18 (1).

7 (b) ~~Printing Publication~~ of the Wisconsin town law forms under s. 35.20.

8 (d) ~~Printing Publication~~ of the Wisconsin administrative code and register  
9 under s. 35.93.

10 **SECTION 27pg.** 13.92 (2m) (c) of the statutes is repealed.

11 **SECTION 27s.** 13.92 (4) (a) of the statutes is amended to read:

12 13.92 (4) (a) The legislative reference bureau shall ~~prepare copy for publication~~  
13 ~~in compile and publish~~ the Wisconsin administrative code as provided in s. 35.93 (3).  
14 Whenever the legislative reference bureau receives notice under s. 227.40 (6) of the  
15 entry of a declaratory judgment determining the validity or invalidity of a rule, the  
16 legislative reference bureau shall insert an annotation of that determination in the  
17 Wisconsin administrative code under the rule that was the subject of the  
18 determination.”.

19 **2.** Page 124, line 6: after that line insert:

20 “**SECTION 197p.** 20.004 (2) of the statutes is amended to read:

21 20.004 (2) Immediately following the final adjournment of the legislature, or  
22 at convenient intervals prior thereto, the department of administration shall amend  
23 the schedule and summaries set forth in s. 20.005 to include all fiscal acts of the  
24 legislature, and submit the composite amended schedule and summaries to the joint

1 committee on finance for approval. When approved, the department of  
2 administration shall then submit the schedule and summaries to the legislative  
3 reference bureau, which shall print the revised schedules and summaries of all state  
4 funds in the ensuing issue edition of the biennial Wisconsin statutes printed under  
5 s. 35.18 (1) (a) as part of s. 20.005 and in lieu of the schedules and summaries printed  
6 in the preceding issue edition of the biennial Wisconsin statutes. If any conflict exists  
7 between ss. 20.115 to 20.875 and s. 20.005, ss. 20.115 to 20.875 shall control and s.  
8 20.005 shall be changed to correspond with ss. 20.115 to 20.875. All appropriations  
9 are to be rounded to the nearest \$100 and if any appropriation is made which is not  
10 so rounded the department of administration, when preparing the composite  
11 amended schedule and summaries, shall show the appropriation increased to the  
12 next \$100.”.

13 **3.** Page 383, line 5: after that line insert:

14 “**SECTION 415g.** 20.505 (1) (fz) of the statutes is created to read:

15 20.505 (1) (fz) *Administrative code and register subscription refunds.* A sum  
16 sufficient to make the refunds to subscribers to the Wisconsin administrative code  
17 and register authorized under 2013 Wisconsin Act .... (this act), section 9127 (1r).

18 **SECTION 415h.** 20.505 (1) (fz) of the statutes, as created by 2013 Wisconsin Act  
19 .... (this act), is repealed.”.

20 **4.** Page 418, line 6: after that line insert:

21 “**SECTION 575b.** 35.01 (2) of the statutes is amended to read:

22 35.01 (2) Class 2 — Wisconsin statutes, ~~annotations~~ and Blue Book.

23 **SECTION 575bp.** 35.012 of the statutes is amended to read:

1           **35.012 State printing; exception.** All printing contracted for under this  
2 chapter, except statutes ~~and annotations~~ of the 2nd class, yearbooks, and other  
3 similar student publications not funded by student fees or student organization  
4 income, printing of the 5th and 7th classes, and such copyrighted or patented or  
5 printing specialties not available for production within this state, shall be printed in  
6 this state. Printing contracted for under this chapter which is required under this  
7 section to be printed in this state may be done in another state if the laws of that state  
8 allow printing contracted for under its laws to be done in this state.

9           **SECTION 575d.** 35.05 (1), (2) (b) and (3) of the statutes are amended to read:

10           **35.05 (1)** All printing for the legislature shall be in such form and printed in  
11 such manner and amount as may be determined by the joint rules of the legislature,  
12 or in the case of printing of a nature that is the concern of one house only, then as  
13 determined by that house except as provided for the Wisconsin statutes, and the  
14 Laws of Wisconsin and the ~~Wisconsin administrative code and register~~ under s. 35.50  
15 (2).

16           **(2) (b)** When printing concerns both houses the form or amount of such printing  
17 may be determined by the joint rules or by joint resolution or by the joint committee  
18 on legislative organization, subject to any provisions of the joint rules or joint  
19 resolutions, except as provided for the Wisconsin statutes, and the Laws of Wisconsin  
20 and the ~~Wisconsin administrative code and register~~ under s. 35.50 (2).

21           **(3)** All printing that has a customary form, number of copies, or other features  
22 shall continue to conform to such form or other requirements until changed by or  
23 under authority of statute, joint rule, or rule of either house, except as provided for  
24 the Wisconsin statutes, and the Laws of Wisconsin and the ~~Wisconsin administrative~~  
25 ~~code and register~~ under s. 35.50 (2).

1           **SECTION 575dp.** 35.095 (3) (a) of the statutes, as affected by 2013 Wisconsin  
2 Act 5, is amended to read:

3           35.095 (3) (a) The legislative reference bureau shall publish every act and every  
4 portion of an act ~~which~~ that is enacted by the legislature over the governor's partial  
5 veto on its date of publication on the Internet in one or more electronic file formats.  
6 The legislative reference bureau may electronically publish every act and every  
7 portion of an act that is enacted by the legislature over the governor's partial veto  
8 on other electronic media in one or more electronic file formats, as the legislative  
9 reference bureau determines.

10           **SECTION 575f.** 35.17 of the statutes is amended to read:

11           **35.17 Correcting typographical obvious errors in enrolling and**  
12 **publishing.** (1) In enrolling under s. 13.92 (1) (b) 3. and for publishing under ss.  
13 35.095, 35.15, and 35.35 (1) (a), the legislative reference bureau shall correct ~~obvious~~  
14 ~~typographical~~ minor clerical errors. No such correction shall be deemed an  
15 alteration of the enrolled copy. ~~Like corrections shall be made by the~~

16           (2) ~~The legislative reference bureau in printing~~ shall correct obvious  
17 nonsubstantive errors when publishing the Wisconsin statutes under s. 35.18 (1) (a)  
18 and (b) and the administrative code under s. 35.93 (3).

19           (3) On questions of orthography the current edition of Webster's new  
20 international dictionary shall be taken as the standard.

21           **SECTION 575fp.** The unnumbered title preceding 35.18 of the statutes  
22 [precedes 35.18] is amended to read:

23                           STATUTES, ANNOTATIONS, AND TOWN

24                                   LAW FORMS; CLASS 2 PRINTING

25           **SECTION 575h.** 35.18 (1) of the statutes is renumbered 35.18 (1) (a).

1           **SECTION 575hp.** 35.18 (1) (b) of the statutes is created to read:

2           35.18 (1) (b) 1. The legislative reference bureau shall electronically publish  
3 interim updated versions of the statutes included in the biennial Wisconsin statutes  
4 printed under par. (a) on the Internet in one or more electronic file formats. The  
5 legislative reference bureau may electronically publish the updated versions on  
6 other electronic media in one or more electronic file formats, as the legislative  
7 reference bureau determines.

8           2. The legislative reference bureau shall include in the updated versions of the  
9 statutes electronically published under subd. 1. all general statutes in force, except  
10 that the legislative reference bureau may omit tables and graphic images from  
11 publication in a particular electronic file format if the legislative reference bureau  
12 determines that the tables and graphic images are incompatible with that electronic  
13 file format. If the legislative reference bureau omits tables or graphic images from  
14 publication in a particular electronic file format, it shall insert a note following the  
15 affected statutory unit identifying the omission and providing a hypertext link  
16 providing electronic access to the table or graphic image. The legislative reference  
17 bureau shall at all times publish the statutes on the Internet in at least one electronic  
18 file format that allows for publication of all tables and graphic images contained in  
19 the statutes.

20           3. The legislative reference bureau shall include all of the following with each  
21 updated version of the statutes published under subd. 1.:

22           a. The date of publication for the updated version.

23           b. The edition of the biennial Wisconsin statutes that is being updated.

24           c. The act number of the most recent legislative act included in the updated  
25 version.



1           d. The date through which the updated version has been updated. The updated  
2 version shall include all legislative acts that were enacted, and all supreme court  
3 orders affecting statutes that were entered, on or before the date referenced in this  
4 subd. 3. d.

5           e. A notice stating that the updated version of the statutes electronically  
6 published under this paragraph is certified under sub. (2) (b).

7           **SECTION 575j.** 35.18 (2) (title) of the statutes is amended to read:

8           35.18 (2) (title) LEGISLATIVE REFERENCE BUREAU ~~CERTIFICATE~~ CERTIFICATION.

9           **SECTION 575jp.** 35.18 (2) of the statutes is renumbered 35.18 (2) (a) and  
10 amended to read:

11           35.18 (2) (a) After making the necessary comparison, the chief of the legislative  
12 reference bureau shall annex, ~~at the end of one copy of each newly printed statute,~~  
13 ~~which shall be filed~~ sign and file in the office of the secretary of state as a public  
14 record, a certificate certifying that the bureau has compared each printed section  
15 ~~therein contained in the biennial Wisconsin statutes printed under sub. (1) (a)~~ with  
16 the original section of the statutes, or, ~~as the case may be,~~ with the original section  
17 contained in the enrolled act from which the section was derived, together with all  
18 amendments of such original section, if any, and that all the sections appear to be  
19 correctly printed. All ~~other~~ copies of the biennial Wisconsin statutes printed under  
20 sub. (1) (a) shall contain a printed copy of such certificate.

21           **SECTION 575L.** 35.18 (2) (b) of the statutes is created to read:

22           35.18 (2) (b) After making the necessary comparison, the legislative reference  
23 bureau shall publish on the Internet, and with each electronic publication of the  
24 Wisconsin statutes under sub. (1) (b), a certification that the bureau has compared  
25 each section of the Wisconsin statutes published under sub. (1) (b) with the original

1 section of the statutes, or with the original section contained in the enrolled act from  
2 which the section was derived, together with all amendments of such original  
3 section, if any, and that all the sections appear to be correctly published. The  
4 certification shall indicate any electronic file formats in which the statutes are  
5 published that do not contain all graphic images and tables due to incompatibility  
6 with the electronic file format.

7 **SECTION 575Lp.** 35.20 of the statutes is amended to read:

8 **35.20 Wisconsin Town Law Forms.** With each issue edition of the biennial  
9 Wisconsin statutes printed under s. 35.18 (1) (a), under the supervision of the  
10 legislative reference bureau, an edition will be printed as directed by the department  
11 for distribution by the department to all town clerks, of a volume to be designated  
12 “Wisconsin Town Law Forms” containing suitable forms for use in the administration  
13 of laws relating to: common schools; the county board; the powers, duties and  
14 liabilities of towns, town officers and the assessment of taxes; highways, bridges and  
15 drainage districts; and such other forms as the legislative reference bureau  
16 determines desirable and practicable.

17 **SECTION 575n.** 35.23 of the statutes is renumbered 35.18 (4) and amended to  
18 read:

19 **35.18 (4) WISCONSIN ANNOTATIONS.** The legislative reference bureau shall  
20 prepare such annotations as will keep the volume known as “Wisconsin  
21 Annotations,” up to date, and ~~print such continuations in each biennial issue of the~~  
22 include those annotations in the Wisconsin statutes published under sub. (1) (a) and  
23 (b).

24 **SECTION 575np.** 35.50 (2) and (3) of the statutes are amended to read:

1           35.50 (2) Unless otherwise required by law, each edition of the Blue Book and  
2       the reports specified in ss. 35.26 and 35.27, and reprints thereof, shall be  
3       substantially the same in printing and binding as the previous edition of the same  
4       publication. Unless otherwise determined by the chief of the legislative reference  
5       bureau, each edition of the Laws of Wisconsin shall be substantially the same in  
6       format, printing, and binding as the previous edition of the same publication. Unless  
7       otherwise determined by the legislative reference bureau, each edition of the  
8       biennial Wisconsin statutes and the Wisconsin administrative code and register  
9       printed under s. 35.18 (1) (a) shall be substantially the same in format, printing, and  
10      binding as the previous edition of the same publication. Unless otherwise  
11      determined by the legislative reference bureau, each electronic publication of the  
12      Wisconsin statutes under s. 35.18 (1) (b), the Wisconsin administrative code under  
13      s. 35.93 (2), and the Wisconsin administrative register under s. 35.93 (3) shall be in  
14      substantially the same format as the previous edition or version of the same  
15      publication.

16           (3) Specifications for class 1 state printing shall be determined by the  
17      department with the advice and approval of the joint committee on legislative  
18      organization, except as otherwise provided for the Laws of Wisconsin and the  
19      ~~Wisconsin administrative code and register~~ under sub. (2).

20           **SECTION 575p.** 35.56 (1) (a) of the statutes is amended to read:

21           35.56 (1) (a) As a basis for printing of the biennial Wisconsin statutes and the  
22      ~~Wisconsin administrative code and register~~ under s. 35.18 (1) (a), the department  
23      shall, before advertising for bids and after consultation with the legislative reference  
24      bureau, establish base prices for 2-year periods and establish specifications subject  
25      to approval by the legislative reference bureau for 2-year periods.

1           **SECTION 575pp.** 35.81 (3) of the statutes is amended to read:

2           35.81 (3) “State document” includes every publication produced by a state  
3 agency in multiple copies or prepared for a state agency in multiple copies by a  
4 private individual or organization that is supported wholly or partly by any funds  
5 appropriated by this state, regardless of the format or process by which produced and  
6 regardless of the source of funds provided to the publisher, which is intended by the  
7 publisher to be disseminated or made accessible to the public or is required by law  
8 to be published, but does not include any publication of a state agency intended by  
9 the state agency to be used solely for internal purposes within the state agency or  
10 between that state agency and other state agencies and does not include the  
11 Wisconsin administrative code or the Wisconsin administrative register.

12           **SECTION 575r.** 35.84 (figure) columns C and F of the statutes are repealed.

13           **SECTION 575rp.** The unnumbered title preceding 35.93 of the statutes  
14 [precedes 35.93] is amended to read:

15                   **WISCONSIN ADMINISTRATIVE CODE AND REGISTER**

16           **SECTION 575t.** 35.93 of the statutes is repealed and recreated to read:

17           **35.93 Wisconsin administrative code and register. (1) DEFINITIONS.** In  
18 this section:

19           (a) “Agency” has the meaning given in s. 227.01 (1).

20           (b) “Chapter” means the highest organizational unit into which an agency’s  
21 rules are divided within the Wisconsin administrative code.

22           (c) “Date of publication” means the date on which a register is published under  
23 sub. (2) (a).

24           (d) “End-of-month register” means the last register published in a calendar  
25 month.

1 (e) “Issue” means all registers published in a calendar month.

2 (f) “Notice-only register” means a register other than an end-of-month  
3 register.

4 (g) “Rule” has the meaning given in s. 227.01 (13).

5 (2) WISCONSIN ADMINISTRATIVE REGISTER. (a) The legislative reference bureau  
6 shall electronically publish the Wisconsin administrative register on the Internet in  
7 one or more electronic file formats on the Monday of each week, or on the next  
8 working day, as defined in s. 227.01 (14), if Monday is a holiday under s. 230.35 (4)  
9 (a).

10 (b) The legislative reference bureau shall include all of the following in each  
11 notice-only register and each end-of-month register:

12 1. A title page with the name “Wisconsin Administrative Register,” the issue  
13 number, and the date of publication of the register.

14 2. A table of contents.

15 3. A notice section containing all of the following that are received by the  
16 legislative reference bureau after the compilation of the preceding register:

17 a. Notices of emergency rules in effect under s. 227.24 (3).

18 b. Statements of the scope of proposed rules under ss. 227.135 and 227.24 (1)  
19 (e) 1d.

20 c. Notices of submittal of proposed rules to the legislative council staff under  
21 s. 227.14 (4m).

22 d. Notices of hearings on rule making under s. 227.17 (1).

23 e. Notices of intent to promulgate rules without a public hearing under s.  
24 227.16 (2) (e).

1 f. Fiscal estimates and economic impact analyses for proposed rules under ss.  
2 227.137 and 227.14 (4) and emergency rules under s. 227.24 (1) (e) 2.

3 g. Notices of referrals of proposed rules to presiding officers under s. 227.19 (2).

4 h. Notices of declaratory judgments under s. 227.40 (6).

5 i. Web addresses provided by agencies under s. 101.055 (3) (a) or 227.21 (2) (c)  
6 for proposed rules.

7 j. Other notices that are otherwise required by law to be included or that the  
8 legislative reference bureau determines are appropriate for inclusion in the  
9 Wisconsin administrative register.

10 4. Copies of all rules filed with the legislative reference bureau under s. 227.20  
11 (1) since the compilation of the preceding register, including emergency rules filed  
12 under s. 227.24 (3).

13 5. Copies of all executive orders received by the legislative reference bureau  
14 since the compilation of the preceding register.

15 6. Web addresses provided by agencies under s. 101.055 (3) (a) or 227.21 (2) (c)  
16 for rules included in a register under subd. 4.

17 (c) The legislative reference bureau shall include all of the following in each  
18 end-of-month register:

19 1. Each chapter of the Wisconsin administrative code that has been affected by  
20 rules filed with legislative reference bureau under s. 227.20 (1), in accordance with  
21 sub. (3) (e) 1.

22 2. Any other chapters of the administrative code determined by the legislative  
23 reference bureau to be appropriate for publication due to corrections made under s.  
24 13.92 (4) (b) or 35.17 or due to the addition of editorial notes.

1           3. Instructions or information to help the user to correctly identify insertions  
2     and deletions in the Wisconsin administrative code and that keep the Wisconsin  
3     administrative code current.

4           (d) The legislative reference bureau shall number each issue consecutively.

5           (e) Any document required to be included in the Wisconsin administrative  
6     register shall be considered published under par. (a) if the document can be accessed  
7     from the register's table of contents by the use of one or more hypertext links.

8           **(3) WISCONSIN ADMINISTRATIVE CODE.** (a) The legislative reference bureau shall  
9     electronically publish the Wisconsin administrative code on the Internet in one or  
10    more electronic file formats, as the legislative reference bureau determines. The  
11    legislative reference bureau may electronically publish the Wisconsin  
12    administrative code on other electronic media in one or more electronic file formats,  
13    as the legislative reference bureau determines.

14          (b) Except as otherwise provided in s. 227.21 (2), the legislative reference  
15    bureau shall include in the Wisconsin administrative code published under par. (a)  
16    all permanent rules in force, except that the legislative reference bureau may omit  
17    tables and graphic images from publication in a particular electronic file format if  
18    the legislative reference bureau determines that the tables and graphic images are  
19    incompatible with that electronic file format. If the legislative reference bureau  
20    omits tables or graphics under this paragraph, the legislative reference bureau shall  
21    insert a note following the affected provision identifying the omission and providing  
22    a hypertext link providing electronic access to the table or graphic image. The  
23    legislative reference bureau shall at all times publish the administrative code on the  
24    Internet in at least one electronic file format that allows for publication of all tables  
25    and graphic images contained in the administrative code.

1 (c) The legislative reference bureau shall include all of the following with each  
2 chapter of the Wisconsin administrative code published under par. (a):

3 1. The date and issue number of the Wisconsin administrative register in which  
4 the chapter is published.

5 2. The name of the promulgating agency.

6 3. A chapter title and number.

7 4. A table of contents for the chapter.

8 5. A notice stating that the chapter is published under the authority granted  
9 by this subsection.

10 (d) The legislative reference bureau shall include with the Wisconsin  
11 administrative code a table of contents and an index of all permanent rules currently  
12 in effect.

13 (e) The legislative reference bureau shall incorporate into the appropriate  
14 chapters of the Wisconsin administrative code each permanent rule filed with the  
15 legislative reference bureau under s. 227.20 (1) and, for each chapter of the  
16 administrative code affected by a rule, do all of the following:

17 1. Publish the chapter in the appropriate end-of-month register in accordance  
18 with the filing deadline for publication established in the rules procedures manual  
19 published under s. 227.15 (7) or in an end-of-month register agreed to by the  
20 submitting agency and the legislative reference bureau.

21 2. Publish the chapter in the Wisconsin administrative code published on the  
22 Internet on the first day of the month following the date of publication of the  
23 end-of-month register in which the chapter is published under subd. 1. and sub. (2)

24 (c) 1. and publish the chapter in the Wisconsin administrative code published on any



1 other electronic media under par. (a) on or after the day after the date of publication  
2 of that end-of-month register.

3 3. If the chapter is affected by a rule that adopts standards under s. 101.055  
4 (3) (a) or 227.21 (2) (a), publish, in conjunction with the publication of the chapter  
5 under subd. 2., any Web addresses provided under s. 101.055 (3) (a) or 227.21 (2) (c).

6 (f) If a chapter of the Wisconsin administrative code is published in an  
7 end-of-month register under sub. (2) (c) 2., the legislative reference bureau shall  
8 publish the chapter in the Wisconsin administrative code published on the Internet  
9 on the first day of the month following the date of publication of that end-of-month  
10 register and shall publish the chapter in the Wisconsin administrative code  
11 published on any other electronic media under par. (a) on or after the day after the  
12 date of publication of that end-of-month register.”.

13 **5.** Page 772, line 18: after that line insert:

14 “**SECTION 1599p.** 101.055 (3) (a) of the statutes is amended to read:

15 101.055 (3) (a) The department shall adopt, by administrative rule, standards  
16 to protect the safety and health of public employees. The standards shall provide  
17 protection at least equal to that provided to private sector employees under  
18 standards promulgated by the federal occupational safety and health  
19 administration, but no rule may be adopted by the department which defines a  
20 substance as a “toxic substance” solely because it is listed in the latest printed edition  
21 of the national institute for occupational safety and health registry of toxic effects of  
22 chemical substances. The department shall revise the safety and health standards  
23 adopted for public employees as necessary to provide protection at least equal to that  
24 provided to private sector employees under federal occupational safety and health

1 administration standards, except as otherwise provided in this paragraph.  
2 Notwithstanding ss. 35.93 and 227.21, if the standards adopted by the department  
3 are identical to regulations adopted by a federal agency, the standards need not be  
4 duplicated published in full in the Wisconsin administrative code and register as  
5 provided in ss. 35.93 and 227.21 if the identical federal regulations are made  
6 available to the public at a reasonable cost, and promulgated in accordance with ch.  
7 227, except s. 227.21, and distributed in accordance with s. 35.84. The department  
8 may provide to the legislative reference bureau one or more Web addresses to provide  
9 electronic access to any standards adopted under this paragraph for publication in  
10 conjunction with the publication of the Wisconsin administrative code and register  
11 under s. 35.93.”.

12 **6.** Page 894, line 24: after that line insert:

13 “**SECTION 1991p.** 227.01 (8m) of the statutes is created to read:

14 227.01 (8m) “Permanent rule” means a rule other than a rule promulgated  
15 under s. 227.24.”.

16 **7.** Page 895, line 10: after that line insert:

17 “**SECTION 1996bp.** 227.135 (3) of the statutes is amended to read:

18 227.135 (3) If the governor approves a statement of the scope of a proposed rule  
19 under sub. (2), the agency shall send an electronic copy of the statement to the  
20 legislative reference bureau, in a format approved by the legislative reference  
21 bureau, for publication in the register. On the same day that the agency sends the  
22 statement to the legislative reference bureau, the agency shall send a copy of the  
23 statement to the secretary of administration. The agency shall include with any  
24 statement of scope sent to the legislative reference bureau the date of the governor’s

1 approval of the statement of scope. The legislative reference bureau shall assign a  
2 discrete identifying number to each statement of scope and shall include that  
3 number and the date of the governor's approval in the publication of the statement  
4 of scope in the register.

5 **SECTION 1996d.** 227.14 (4m) of the statutes is amended to read:

6 227.14 (4m) NOTICE OF SUBMITTAL TO LEGISLATIVE COUNCIL STAFF. On the same  
7 day that an agency submits a proposed rule to the legislative council staff under s.  
8 227.15, the agency shall prepare a written notice of the agency's submittal to the  
9 legislative council staff. The notice shall include a statement of the date on which  
10 the proposed rule has been submitted to the legislative council staff for review, of the  
11 subject matter of the proposed rule and of whether a public hearing on the proposed  
12 rule is required, and shall identify the organizational unit within the agency that is  
13 primarily responsible for the promulgation of the rule. The notice shall also include  
14 a statement containing the identifying number of the statement of scope for the  
15 proposed rule assigned under s. 227.135 (3), the date of publication and issue number  
16 of the register in which the statement of scope is published, and the date of approval  
17 of the statement of scope by the individual or body with policy-making powers over  
18 the subject matter of the proposed rule under s. 227.135 (2). The notice shall be  
19 approved by the individual or body with policy-making powers over the subject  
20 matter of the proposed rule. The agency shall send an electronic copy of the notice  
21 to the legislative reference bureau, in a format approved by the legislative reference  
22 bureau, for publication in the register. On the same day that the agency sends the  
23 notice to the legislative reference bureau, the agency shall send a copy of the notice  
24 to the secretary of administration.

25 **SECTION 1996dp.** 227.16 (2) (e) (intro.) of the statutes is amended to read:

1           227.16 (2) (e) (intro.) The proposed rule and the fiscal estimate required under  
2           s. 227.14 (4) are, as submitted to the legislative council staff under s. 227.15 (1), is  
3           sent to the legislative reference bureau in an electronic format approved by the  
4           legislative reference bureau and published in the notice section of the register with  
5           a statement that the proposed rule will be promulgated without public hearing  
6           unless a petition is received by the agency within 30 days after publication of the  
7           notice, signed by any of the following:

8           **SECTION 1996f.** 227.17 (1) (a) and (b) of the statutes are amended to read:

9           227.17 (1) (a) Send written notice of the hearing, in an electronic format  
10          approved by the legislative reference bureau, to the legislative reference bureau for  
11          publication in the register and, if required, publish the notice in a local newspaper.

12          (b) Send an electronic copy of the written notice of the hearing under par. (a)  
13          to each member of the legislature who has filed a written request for notice with the  
14          legislative reference bureau. Upon request, the legislative reference bureau shall  
15          furnish an agency with the name and address of each legislator who has requested  
16          notice.

17          **SECTION 1996fp.** 227.17 (2) of the statutes is amended to read:

18          227.17 (2) The notice under sub. (1) shall be given at least 10 days prior to the  
19          date set for a hearing. Notice through the register is considered to have been given  
20          on the effective date of the issue of the register in which the notice first appears, or,  
21          if applicable, on the date prescribed under s. 227.22 (4).

22          **SECTION 1996h.** 227.17 (3) (b) of the statutes is amended to read:

23          227.17 (3) (b) ~~Either the text of~~ A copy of the proposed rule ~~in the form specified~~  
24          ~~in s. 227.14 (1), or an informative summary of the effect of the proposed rule. If the~~  
25          ~~agency chooses to publish an informative summary rather than the full text of a~~

1     ~~proposed rule, the notice shall include a description of how a copy of the text may be~~  
2     ~~obtained from the agency at no charge as submitted to the legislative council staff~~  
3     ~~under s. 227.15 (1).~~

4           **SECTION 1996hp.** 227.17 (3) (c) and (d) of the statutes are repealed.

5           **SECTION 1996j.** 227.17 (3) (e) of the statutes is repealed.

6           **SECTION 1996jp.** 227.17 (3) (em) of the statutes is amended to read:

7           227.17 (3) (em) ~~The economic impact analysis required under s. 227.137 (2),~~  
8     ~~any revised economic impact analysis required under s. 227.137 (4), and any Any~~  
9     ~~report prepared by the department of administration under s. 227.137 (6), or a~~  
10    ~~summary of that analysis and report and a description of how a copy of the full~~  
11    ~~analysis and report may be obtained from the agency at no charge.~~

12          **SECTION 1996L.** 227.19 (2) of the statutes is amended to read:

13          227.19 (2) An agency shall submit a notice to the chief clerk of each house of  
14    the legislature when a proposed rule is in final draft form. The notice shall be  
15    submitted in triplicate and shall be accompanied by a report in the form specified  
16    under sub. (3). A notice received under this subsection after the last day of the  
17    legislature's final general-business floorperiod in the biennial session as established  
18    in the joint resolution required under s. 13.02 (3) shall be considered received on the  
19    first day of the next regular session of the legislature, unless the presiding officers  
20    of both houses direct referral of the notice and report under this subsection before  
21    that day. The presiding officer of each house of the legislature shall, within 10  
22    working days following the day on which the notice and report are received, direct  
23    the appropriate chief clerk to refer the notice and report to one standing committee.  
24    The agency shall submit to the legislative reference bureau for publication in the  
25    register, in an electronic format approved by the legislative reference bureau, a

1 statement that a proposed rule has been submitted to the chief clerk of each house  
2 of the legislature. The agency shall also include in the statement the date of approval  
3 of the proposed rule by the governor under s. 227.185. Each chief clerk shall enter  
4 a similar statement in the journal of his or her house.

5 **SECTION 1996Lp.** 227.20 (1) of the statutes is amended to read:

6 227.20 (1) An agency shall file a certified copy of each rule it promulgates with  
7 the legislative reference bureau. No rule is valid until the certified copy has been  
8 filed. A certified copy shall be typed or duplicated on 8 1/2 by 11 inch paper, leaving  
9 sufficient room for a stamp at the top of the first page. Forms that are filed need not  
10 comply with the specifications of this subsection. The agency shall also send a copy  
11 of each rule to the legislative reference bureau in an electronic format approved by  
12 the legislative reference bureau.

13 **SECTION 1996n.** 227.21 (1) of the statutes is amended to read:

14 227.21 (1) ~~All~~ The legislative reference bureau shall publish all rules that  
15 agencies are directed by this chapter to file with the legislative reference bureau  
16 ~~shall be published under s. 227.20 in the code and register and shall publish all~~  
17 permanent rules that agencies are directed by this chapter to file with the legislative  
18 reference bureau under s. 227.20 in the code, as required under provided in s. 35.93.

19 **SECTION 1996np.** 227.21 (2) (c) of the statutes is created to read:

20 227.21 (2) (c) An agency that adopts standards under par. (a) may provide the  
21 legislative reference bureau with one or more Web addresses to provide electronic  
22 access to the standards for publication in conjunction with the publication of the  
23 Wisconsin administrative code and register under s. 35.93.

24 **SECTION 1996p.** 227.22 (1) of the statutes is amended to read:

1           227.22 (1) In this section, “date of publication” means the first date on which  
2   ~~an issue of the register is mailed to any person entitled under s. 35.84 to receive it~~  
3   a register is published under s. 35.93 (2).

4           **SECTION 1996pp.** 227.22 (2) (d) of the statutes is repealed.

5           **SECTION 1996r.** 227.22 (4) of the statutes is repealed.

6           **SECTION 1996rp.** 227.24 (1) (e) 2. of the statutes is amended to read:

7           227.24 (1) (e) 2. Prepare a fiscal estimate ~~of~~ for the rule in the format prescribed  
8   under s. 227.14 (4) and, mail the fiscal estimate to each member of the legislature,  
9   and send a copy of the fiscal estimate to the legislative reference bureau in an  
10   electronic format approved by the legislative reference bureau, not later than 10 days  
11   after the date on which the rule is published.

12          **SECTION 1996t.** 227.24 (3) of the statutes is amended to read:

13          227.24 (3) FILING. An agency shall file a rule promulgated under sub. (1) as  
14   provided in s. 227.20, shall mail a copy to the chief clerk of each house and to each  
15   member of the legislature at the time that the rule is filed and shall take any other  
16   step it considers feasible to make the rule known to persons who will be affected by  
17   it. The legislative reference bureau shall insert in the notice section of each issue of  
18   the register a brief description of each rule under sub. (1) that is currently in effect,  
19   and a copy of the rule and fiscal estimate. Each copy, notice or description of a rule  
20   promulgated under sub. (1) (a) shall be accompanied by a statement of the emergency  
21   finding by the agency or by a statement that the rule is promulgated at the direction  
22   of the joint committee for review of administrative rules under s. 227.26 (2) (b).

23          **SECTION 1996tp.** 227.40 (6) of the statutes is amended to read:

24          227.40 (6) Upon entry of a final order in a declaratory judgment action under  
25   sub. (1), the court shall ~~notify~~ send an electronic notice to the legislative reference

1 bureau of the court's determination as to the validity or invalidity of the rule, in a  
2 format approved by the legislative reference bureau, and the legislative reference  
3 bureau shall publish a notice of that determination in the Wisconsin administrative  
4 register under s. 35.93 (4) (2) and insert an annotation of that determination in the  
5 Wisconsin administrative code under s. 13.92 (4) (a).".

6 **8.** Page 996, line 10: after that line insert:

7 "SECTION 2317p. 889.01 of the statutes is amended to read:

8 **889.01 Publication by state as evidence of laws.** Books, pamphlets and  
9 other documents purporting to be printed by the state as copies of its statutes,  
10 legislative acts and resolutions, senate and assembly journals or orders, rules,  
11 regulations or decisions of any of its boards, departments, commissions or agencies,  
12 are prima facie evidence that they are such publications as they purport to be, and  
13 are correct copies of such statutes, acts, resolutions, journals, orders, rules,  
14 regulations and decisions, respectively; and such printed journals of said houses,  
15 respectively, are prima facie evidence of their proceedings. Electronic documents  
16 purporting to be published by the legislative reference bureau under ss. 35.095 (3)  
17 (a), 35.18 (1) (b), and 35.93 as copies of Wisconsin's statutes, legislative acts, or  
18 administrative rules are prima facie evidence that they are such publications as they  
19 purport to be and are correct copies of such statutes, legislative acts, and  
20 administrative rules.".

21 **9.** Page 1023, line 3: after that line insert:

22 "(1q) STATEMENTS OF SCOPE OF PROPOSED RULES PUBLISHED PRIOR TO EFFECTIVE  
23 DATE OF 2011 WISCONSIN ACT 21.



1 (a) Notwithstanding section 227.14 (4m) of the statutes, as affected by this act,  
2 if an agency's statement of the scope of a proposed rule under section 227.135 of the  
3 statutes was published in the Wisconsin Administrative Register prior to June 8,  
4 2011, the notice required under section 227.14 (4m) of the statutes, as affected by this  
5 act, need not include an identifying number for the statement of scope for the  
6 proposed rule or the date of approval of the statement of scope for the proposed rule  
7 by the individual or body with policy-making powers over the subject matter of the  
8 proposed rule under section 227.135 (2) of the statutes.

9 (b) Notwithstanding section 227.19 (2) of the statutes, as affected by this act,  
10 if an agency's statement of the scope of a proposed rule under section 227.135 of the  
11 statutes was published in the Wisconsin Administrative Register prior to June 8,  
12 2011, the agency shall include in its notice under section 227.19 (2) of the statutes,  
13 as affected by this act, a statement of the date and issue number of the the register  
14 in which the statement of scope for the proposed rule was published, in lieu of a  
15 statement of the governor's date of approval of the proposed rule.

16 (1r) REFUNDS FOR ADVANCE PAYMENTS FOR PRINTED WISCONSIN ADMINISTRATIVE  
17 CODE AND REGISTER. Notwithstanding section 35.93 (7), 2011 stats., upon request, the  
18 department of administration shall refund to any person the pro rata share of any  
19 advance payment made by that person for printed copies of the Wisconsin  
20 administrative code or Wisconsin administrative register that were to be delivered  
21 to the person on or after the effective date of this subsection.”.

22 **10.** Page 1064, line 12: after that line insert:

23 “(1q) PUBLICATION OF RULES IN REGISTER. The treatment of section 227.22 (1), (2)  
24 (d), and (4) of the statutes first applies to rules published in the register under section

35.93 (2) (c) 1. of the statutes, as affected by this act, on the effective date of this subsection.”.

**11.** Page 1076, line 4: after that line insert:

“(1q) PUBLICATION OF ADMINISTRATIVE CODE AND REGISTER. The repeal of sections 13.92 (2m) (c), 35.84 (figure) columns C and F, 227.17 (3) (c) and (d), 227.17 (3) (e), and

227.22 (2) (d), and 227.22 (4) of the statutes, the renumbering of section 35.18 (1) of

the statutes, the renumbering and amendment of sections 35.18 (2) and 35.23 of the

statutes, the amendment of sections 13.92 (1) (bm) (intro.), 13.92 (1) (bm) 1., 13.92

(1) (bm) 3., 13.92 (2) (i), 13.92 (2) (j), 13.92 (2m) (title), (a), (b), and (d), 13.92 (4) (a),

20.004 (2), 35.01 (2), 35.012, 35.05 (1), (2) (b), and (3), 35.095 (3) (a), 35.17, the

unnumbered title preceding 35.18, 35.18 (2) (title), 35.20, 35.50 (2) and (3), 35.56 (1)

(a), 35.81 (3), the unnumbered title preceding 35.93, 101.055 (3) (a), 227.135 (3),

227.14 (4m), 227.16 (2) (e) (intro.), 227.17 (1) (a) and (b), 227.17 (2), 227.17 (3) (b), and

227.17 (3) (em), 227.19 (2), 227.20 (1), 227.21 (1), 227.22 (1), 227.24 (1) (e) 2., 227.24

(3), 227.40 (6), and 889.01 of the statutes, the repeal and recreation of section 35.93

of the statutes, the creation of sections 13.92 (1) (f), 20.505 (1) (fz), 35.18 (1) (b), 35.18

(2) (b), 227.01 (8m), and 227.21 (2) (c) of the statutes, and SECTIONS 9127 (1q) and (1r)

and 9327 (1q) of this act take effect on January 1, 2015.

(1r) REFUNDS FOR SUBSCRIPTIONS TO ADMINISTRATIVE CODE AND REGISTER. The repeal of section 20.505 (1) (fz) of the statutes takes effect on July 1, 2015.”.

(END)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBb0058/P2  
MED:cjs:ph

LFB:.....Zimmerman – Electronic publication of administrative code and register

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

**ASSEMBLY AMENDMENT ,**

**TO ASSEMBLY BILL 40**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 66, line 5: after that line insert:

3 **“SECTION 27d.** 13.92 (1) (bm) (intro.) of the statutes is amended to read:

4 13.92 (1) (bm) *Revision of statutes.* (intro.) The legislative reference bureau  
5 shall prepare copy for the biennial Wisconsin statutes for publication under s. 35.18  
6 (1), and for this purpose it:

7 **SECTION 27de.** 13.92 (1) (bm) 1. of the statutes is amended to read:

8 13.92 (1) (bm) 1. Shall formulate and prepare a definite plan for the order,  
9 classification, arrangement, ~~printing and binding~~ publication of the statutes, and  
10 prepare and at each session of the legislature present bills to the law revision

1 committee of the joint legislative council containing such consolidation, revision, and  
2 other matter relating to the statutes as time permits.

3 **SECTION 27dh.** 13.92 (1) (bm) 3. of the statutes is amended to read:

4 13.92 (1) (bm) 3. May, where the application or effect of a statute, by its terms,  
5 depends on the time when the act creating the statute took effect, substitute the  
6 actual effective date for the various forms of expression which mean that date, such  
7 as “when this act (or chapter, or section) takes effect”, or “after (or before) the effective  
8 date of this act (or chapter, or section)”, in ~~preparing copy for the biennial printing~~  
9 of publishing the Wisconsin statutes under s. 35.18 (1).

10 **SECTION 27g.** 13.92 (1) (f) of the statutes is created to read:

11 13.92 (1) (f) *Archives.* 1. The legislative reference bureau shall permanently  
12 maintain each act published under s. 35.095 (3) (a) on the Internet in an electronic  
13 file format that the legislative reference bureau determines to be appropriate to  
14 allow for the continued usability of the previously published acts and may change the  
15 electronic file format over time to assure continued usability.

16 2. The legislative reference bureau shall maintain a permanent database of the  
17 statutes published under s. 35.18 (1) (b) in an electronic file format that the  
18 legislative reference bureau determines to be appropriate to allow for the continued  
19 usability of the previously published statutes and may change the electronic file  
20 format over time to assure continued usability.

21 3. The legislative reference bureau shall permanently maintain each  
22 Wisconsin administrative register published under s. 35.93 (2) on the Internet in an  
23 electronic file format that the legislative reference bureau determines to be  
24 appropriate to allow for the continued usability of the previously published registers  
25 and may change the electronic file format over time to assure continued usability.

1           4. a. The legislative reference bureau shall permanently maintain each chapter  
2 of the Wisconsin administrative code published under s. 35.93 (3) on the Internet in  
3 an electronic file format that the legislative reference bureau determines to be  
4 appropriate to allow for the continued usability of the previously published chapters  
5 and may change the electronic file format over time to assure continued usability.

6           b. The legislative reference bureau shall print one or more copies of each  
7 administrative code chapter published under s. 35.93 (3) and preserve the printed  
8 copies as a permanent archive. The legislative reference bureau may print and  
9 distribute additional copies to other agencies or persons as it considers to be  
10 appropriate for archival purposes.

11           **SECTION 27j.** 13.92 (2) (i) of the statutes is amended to read:

12           13.92 (2) (i) Serve as editor of the biennial Wisconsin statutes. ~~In preparing~~  
13 ~~each edition, if~~ If 2 or more acts of a legislative session affect the same statutory unit  
14 without taking cognizance of the effect thereon of the other acts and if the chief finds  
15 that there is no mutual inconsistency in the changes made by each such act, the chief  
16 shall incorporate the changes made by each act into the text of the statutory unit and  
17 document the incorporation in a note to the ~~section~~ statutory unit. For each such  
18 incorporation, the chief shall include in a correction bill a provision formally  
19 validating the incorporation. Section 990.07 is not affected by ~~printing~~ decisions  
20 made by the chief under this paragraph.

21           **SECTION 27L.** 13.92 (2) (j) of the statutes is amended to read:

22           13.92 (2) (j) Prior to ~~August 1~~ the end of each even-numbered year, report to  
23 the law revision committee those reported opinions of the attorney general, and those  
24 reported decisions of any federal district court, or any state or federal appellate court,

1 in which Wisconsin statutes or session laws are stated to be in conflict, ambiguous,  
2 anachronistic, unconstitutional, or otherwise in need of revision.

3 **SECTION 27p.** 13.92 (2m) (title), (a), (b) and (d) of the statutes are amended to  
4 read:

5 13.92 (2m) (title) ~~PRINTING~~ PUBLICATION COSTS.

6 (a) ~~Printing~~ Publication of the Wisconsin statutes under s. 35.18 (1).

7 (b) ~~Printing~~ Publication of the Wisconsin town law forms under s. 35.20.

8 (d) ~~Printing~~ Publication of the Wisconsin administrative code and register  
9 under s. 35.93.

10 **SECTION 27pg.** 13.92 (2m) (c) of the statutes is repealed.

11 **SECTION 27s.** 13.92 (4) (a) of the statutes is amended to read:

12 13.92 (4) (a) The legislative reference bureau shall ~~prepare copy for publication~~  
13 ~~in compile and publish~~ the Wisconsin administrative code as provided in s. 35.93 (3).

14 Whenever the legislative reference bureau receives notice under s. 227.40 (6) of the  
15 entry of a declaratory judgment determining the validity or invalidity of a rule, the  
16 legislative reference bureau shall insert an annotation of that determination in the  
17 Wisconsin administrative code under the rule that was the subject of the  
18 determination.”.

19 **2.** Page 124, line 6: after that line insert:

20 “**SECTION 197p.** 20.004 (2) of the statutes is amended to read:

21 20.004 (2) Immediately following the final adjournment of the legislature, or  
22 at convenient intervals prior thereto, the department of administration shall amend  
23 the schedule and summaries set forth in s. 20.005 to include all fiscal acts of the  
24 legislature, and submit the composite amended schedule and summaries to the joint

1 committee on finance for approval. When approved, the department of  
2 administration shall then submit the schedule and summaries to the legislative  
3 reference bureau, which shall print the revised schedules and summaries of all state  
4 funds in the ensuing issue edition of the biennial Wisconsin statutes printed under  
5 s. 35.18 (1) (a) as part of s. 20.005 and in lieu of the schedules and summaries printed  
6 in the preceding issue edition of the biennial Wisconsin statutes. If any conflict exists  
7 between ss. 20.115 to 20.875 and s. 20.005, ss. 20.115 to 20.875 shall control and s.  
8 20.005 shall be changed to correspond with ss. 20.115 to 20.875. All appropriations  
9 are to be rounded to the nearest \$100 and if any appropriation is made which is not  
10 so rounded the department of administration, when preparing the composite  
11 amended schedule and summaries, shall show the appropriation increased to the  
12 next \$100.”.

13 **3.** Page 383, line 5: after that line insert:

14 “**SECTION 415g.** 20.505 (1) (fz) of the statutes is created to read:

15 20.505 (1) (fz) *Administrative code and register subscription refunds.* A sum  
16 sufficient to make the refunds to subscribers to the Wisconsin administrative code  
17 and register authorized under 2013 Wisconsin Act .... (this act), section 9127 (1r).

18 **SECTION 415h.** 20.505 (1) (fz) of the statutes, as created by 2013 Wisconsin Act  
19 .... (this act), is repealed.”.

20 **4.** Page 418, line 6: after that line insert:

21 “**SECTION 575b.** 35.01 (2) of the statutes is amended to read:

22 35.01 (2) Class 2 — Wisconsin statutes, ~~annotations~~ and Blue Book.

23 **SECTION 575bp.** 35.012 of the statutes is amended to read:

1           **35.012 State printing; exception.** All printing contracted for under this  
2 chapter, except statutes ~~and annotations~~ of the 2nd class, yearbooks, and other  
3 similar student publications not funded by student fees or student organization  
4 income, printing of the 5th and 7th classes, and such copyrighted or patented or  
5 printing specialties not available for production within this state, shall be printed in  
6 this state. Printing contracted for under this chapter which is required under this  
7 section to be printed in this state may be done in another state if the laws of that state  
8 allow printing contracted for under its laws to be done in this state.

9           **SECTION 575d.** 35.05 (1), (2) (b) and (3) of the statutes are amended to read:

10           35.05 (1) All printing for the legislature shall be in such form and printed in  
11 such manner and amount as may be determined by the joint rules of the legislature,  
12 or in the case of printing of a nature that is the concern of one house only, then as  
13 determined by that house except as provided for the Wisconsin statutes, and the  
14 Laws of Wisconsin ~~and the Wisconsin administrative code and register~~ under s. 35.50  
15 (2).

16           (2) (b) When printing concerns both houses the form or amount of such printing  
17 may be determined by the joint rules or by joint resolution or by the joint committee  
18 on legislative organization, subject to any provisions of the joint rules or joint  
19 resolutions, except as provided for the Wisconsin statutes, and the Laws of Wisconsin  
20 ~~and the Wisconsin administrative code and register~~ under s. 35.50 (2).

21           (3) All printing that has a customary form, number of copies, or other features  
22 shall continue to conform to such form or other requirements until changed by or  
23 under authority of statute, joint rule, or rule of either house, except as provided for  
24 the Wisconsin statutes, and the Laws of Wisconsin ~~and the Wisconsin administrative~~  
25 ~~code and register~~ under s. 35.50 (2).



1           **SECTION 575dp.** 35.095 (3) (a) of the statutes, as affected by 2013 Wisconsin  
2 Act 5, is amended to read:

3           35.095 (3) (a) The legislative reference bureau shall publish every act and every  
4 portion of an act which that is enacted by the legislature over the governor's partial  
5 veto on its date of publication on the Internet in one or more electronic file formats.  
6 The legislative reference bureau may electronically publish every act and every  
7 portion of an act that is enacted by the legislature over the governor's partial veto  
8 on other electronic media in one or more electronic file formats, as the legislative  
9 reference bureau determines.

10           **SECTION 575f.** 35.17 of the statutes is amended to read:

11           **35.17 Correcting typographical obvious errors in enrolling and**  
12 **publishing. (1)** In enrolling under s. 13.92 (1) (b) 3. and for publishing under ss.  
13 35.095, 35.15, and 35.35 (1) (a), the legislative reference bureau shall correct ~~obvious~~  
14 ~~typographical~~ minor clerical errors. No such correction shall be deemed an  
15 alteration of the enrolled copy. ~~Like corrections shall be made by the~~

16           (2) The legislative reference bureau in printing shall correct obvious  
17 nonsubstantive errors when publishing the Wisconsin statutes under s. 35.18 (1) (a)  
18 and (b) and the administrative code under s. 35.93 (3).

19           (3) On questions of orthography the current edition of Webster's new  
20 international dictionary shall be taken as the standard.

21           **SECTION 575fp.** The unnumbered title preceding 35.18 of the statutes  
22 [precedes 35.18] is amended to read:

23                           STATUTES, ANNOTATIONS, AND TOWN

24                           LAW FORMS; CLASS 2 PRINTING

25           **SECTION 575h.** 35.18 (1) of the statutes is renumbered 35.18 (1) (a).

1           **SECTION 575hp.** 35.18 (1) (b) of the statutes is created to read:

2           35.18 (1) (b) 1. The legislative reference bureau shall electronically publish  
3 interim updated versions of the statutes included in the biennial Wisconsin statutes  
4 printed under par. (a) on the Internet in one or more electronic file formats. The  
5 legislative reference bureau may electronically publish the updated versions on  
6 other electronic media in one or more electronic file formats, as the legislative  
7 reference bureau determines.

8           2. The legislative reference bureau shall include in the updated versions of the  
9 statutes electronically published under subd. 1. all general statutes in force, except  
10 that the legislative reference bureau may omit tables and graphic images from  
11 publication in a particular electronic file format if the legislative reference bureau  
12 determines that the tables and graphic images are incompatible with that electronic  
13 file format. If the legislative reference bureau omits tables or graphic images from  
14 publication in a particular electronic file format, it shall insert a note following the  
15 affected statutory unit identifying the omission and providing a hypertext link  
16 providing electronic access to the table or graphic image. The legislative reference  
17 bureau shall at all times publish the statutes on the Internet in at least one electronic  
18 file format that allows for publication of all tables and graphic images contained in  
19 the statutes.

20           3. The legislative reference bureau shall include all of the following with each  
21 updated version of the statutes published under subd. 1.:

- 22           a. The date of publication for the updated version.  
23           b. The edition of the biennial Wisconsin statutes that is being updated.  
24           c. The act number of the most recent legislative act included in the updated  
25 version.

1 d. The date through which the updated version has been updated. The updated  
2 version shall include all legislative acts that were enacted, and all supreme court  
3 orders affecting statutes that were entered, on or before the date referenced in this  
4 subd. 3. d.

5 e. A notice stating that the updated version of the statutes electronically  
6 published under this paragraph is certified under sub. (2) (b).

7 **SECTION 575j.** 35.18 (2) (title) of the statutes is amended to read:

8 35.18 (2) (title) LEGISLATIVE REFERENCE BUREAU ~~CERTIFICATE~~ CERTIFICATION.

9 **SECTION 575jp.** 35.18 (2) of the statutes is renumbered 35.18 (2) (a) and  
10 amended to read:

11 35.18 (2) (a) After making the necessary comparison, the chief of the legislative  
12 reference bureau shall ~~annex, at the end of one copy of each newly printed statute,~~  
13 ~~which shall be filed~~ sign and file in the office of the secretary of state as a public  
14 record, a certificate certifying that the bureau has compared each ~~printed~~ section  
15 ~~therein contained in the biennial Wisconsin statutes printed under sub. (1) (a) with~~  
16 ~~the original section of the statutes, or, as the case may be, with the original section~~  
17 ~~contained in the enrolled act from which the section was derived, together with all~~  
18 ~~amendments of such original section, if any, and that all the sections appear to be~~  
19 ~~correctly printed. All other copies~~ of the biennial Wisconsin statutes printed under  
20 sub. (1) (a) shall contain a printed copy of such certificate.

21 **SECTION 575L.** 35.18 (2) (b) of the statutes is created to read:

22 35.18 (2) (b) After making the necessary comparison, the legislative reference  
23 bureau shall publish on the Internet, and with each electronic publication of the  
24 Wisconsin statutes under sub. (1) (b), a certification that the bureau has compared  
25 each section of the Wisconsin statutes published under sub. (1) (b) with the original

1 section of the statutes, or with the original section contained in the enrolled act from  
2 which the section was derived, together with all amendments of such original  
3 section, if any, and that all the sections appear to be correctly published. The  
4 certification shall indicate any electronic file formats in which the statutes are  
5 published that do not contain all graphic images and tables due to incompatibility  
6 with the electronic file format.

7 **SECTION 575Lp.** 35.20 of the statutes is amended to read:

8 **35.20 Wisconsin Town Law Forms.** With each issue edition of the biennial  
9 Wisconsin statutes printed under s. 35.18 (1) (a), under the supervision of the  
10 legislative reference bureau, an edition will be printed as directed by the department  
11 for distribution by the department to all town clerks, of a volume to be designated  
12 “Wisconsin Town Law Forms” containing suitable forms for use in the administration  
13 of laws relating to: common schools; the county board; the powers, duties and  
14 liabilities of towns, town officers and the assessment of taxes; highways, bridges and  
15 drainage districts; and such other forms as the legislative reference bureau  
16 determines desirable and practicable.

17 **SECTION 575n.** 35.23 of the statutes is renumbered 35.18 (4) and amended to  
18 read:

19 35.18 (4) ~~WISCONSIN~~ ANNOTATIONS. The legislative reference bureau shall  
20 prepare such annotations as will keep the volume known as “Wisconsin  
21 Annotations,” up to date, and ~~print such continuations in each biennial issue of the~~  
22 include those annotations in the Wisconsin statutes published under sub. (1) (a) and  
23 (b).

24 **SECTION 575np.** 35.50 (2) and (3) of the statutes are amended to read:

1           35.50 (2) Unless otherwise required by law, each edition of the Blue Book and  
2           the reports specified in ss. 35.26 and 35.27, and reprints thereof, shall be  
3           substantially the same in printing and binding as the previous edition of the same  
4           publication. Unless otherwise determined by the chief of the legislative reference  
5           bureau, each edition of the Laws of Wisconsin shall be substantially the same in  
6           format, printing, and binding as the previous edition of the same publication. Unless  
7           otherwise determined by the legislative reference bureau, each edition of the  
8           biennial Wisconsin statutes and the Wisconsin administrative code and register  
9           printed under s. 35.18 (1) (a) shall be substantially the same in format, printing, and  
10          binding as the previous edition of the same publication. Unless otherwise  
11          determined by the legislative reference bureau, each electronic publication of the  
12          Wisconsin statutes under s. 35.18 (1) (b), the Wisconsin administrative code under  
13          s. 35.93 (2), and the Wisconsin administrative register under s. 35.93 (3) shall be in  
14          substantially the same format as the previous edition or version of the same  
15          publication.

16          (3) Specifications for class 1 state printing shall be determined by the  
17          department with the advice and approval of the joint committee on legislative  
18          organization, except as otherwise provided for the Laws of Wisconsin ~~and the~~  
19          ~~Wisconsin administrative code and register~~ under sub. (2).

20          **SECTION 575p.** 35.56 (1) (a) of the statutes is amended to read:

21          35.56 (1) (a) As a basis for printing of the biennial Wisconsin statutes and the  
22          ~~Wisconsin administrative code and register~~ under s. 35.18 (1) (a), the department  
23          shall, before advertising for bids and after consultation with the legislative reference  
24          bureau, establish base prices for 2-year periods and establish specifications subject  
25          to approval by the legislative reference bureau for 2-year periods.

1           **SECTION 575pp.** 35.81 (3) of the statutes is amended to read:

2           35.81 (3) “State document” includes every publication produced by a state  
3 agency in multiple copies or prepared for a state agency in multiple copies by a  
4 private individual or organization that is supported wholly or partly by any funds  
5 appropriated by this state, regardless of the format or process by which produced and  
6 regardless of the source of funds provided to the publisher, which is intended by the  
7 publisher to be disseminated or made accessible to the public or is required by law  
8 to be published, but does not include any publication of a state agency intended by  
9 the state agency to be used solely for internal purposes within the state agency or  
10 between that state agency and other state agencies and does not include the  
11 Wisconsin administrative code or the Wisconsin administrative register.

12           **SECTION 575r.** 35.84 (figure) columns C and F of the statutes are repealed.

13           **SECTION 575rp.** The unnumbered title preceding 35.93 of the statutes  
14 [precedes 35.93] is amended to read:

15                   **WISCONSIN ADMINISTRATIVE CODE AND REGISTER**

16           **SECTION 575t.** 35.93 of the statutes is repealed and recreated to read:

17           **35.93 Wisconsin administrative code and register. (1) DEFINITIONS.** In  
18 this section:

19           (a) “Agency” has the meaning given in s. 227.01 (1).

20           (b) “Chapter” means the highest organizational unit into which an agency’s  
21 rules are divided within the Wisconsin administrative code.

22           (c) “Date of publication” means the date on which a register is published under  
23 sub. (2) (a).

24           (d) “End-of-month register” means the last register published in a calendar  
25 month.

1 (e) “Issue” means all registers published in a calendar month.

2 (f) “Notice-only register” means a register other than an end-of-month  
3 register.

4 (g) “Rule” has the meaning given in s. 227.01 (13).

5 (2) WISCONSIN ADMINISTRATIVE REGISTER. (a) The legislative reference bureau  
6 shall electronically publish the Wisconsin administrative register on the Internet in  
7 one or more electronic file formats on the Monday of each week, or on the next  
8 working day, as defined in s. 227.01 (14), if Monday is a holiday under s. 230.35 (4)  
9 (a).

10 (b) The legislative reference bureau shall include all of the following in each  
11 notice-only register and each end-of-month register:

12 1. A title page with the name “Wisconsin Administrative Register,” the issue  
13 number, and the date of publication of the register.

14 2. A table of contents.

15 3. A notice section containing all of the following that are received by the  
16 legislative reference bureau after the compilation of the preceding register:

17 a. Notices of emergency rules in effect under s. 227.24 (3).

18 b. Statements of the scope of proposed rules under ss. 227.135 and 227.24 (1)

19 (e) 1d.

20 c. Notices of submittal of proposed rules to the legislative council staff under  
21 s. 227.14 (4m).

22 d. Notices of hearings on rule making under s. 227.17 (1).

23 e. Notices of intent to promulgate rules without a public hearing under s.  
24 227.16 (2) (e).

1 f. Fiscal estimates and economic impact analyses for proposed rules under ss.  
2 227.137 and 227.14 (4) and emergency rules under s. 227.24 (1) (e) 2.

3 g. Notices of referrals of proposed rules to presiding officers under s. 227.19 (2).

4 h. Notices of declaratory judgments under s. 227.40 (6).

5 i. Web addresses provided by agencies under s. 101.055 (3) (a) or 227.21 (2) (c)  
6 for proposed rules.

7 j. Other notices that are otherwise required by law to be included or that the  
8 legislative reference bureau determines are appropriate for inclusion in the  
9 Wisconsin administrative register.

10 4. Copies of all rules filed with the legislative reference bureau under s. 227.20  
11 (1) since the compilation of the preceding register, including emergency rules filed  
12 under s. 227.24 (3).

13 5. Copies of all executive orders received by the legislative reference bureau  
14 since the compilation of the preceding register.

15 6. Web addresses provided by agencies under s. 101.055 (3) (a) or 227.21 (2) (c)  
16 for rules included in a register under subd. 4.

17 (c) The legislative reference bureau shall include all of the following in each  
18 end-of-month register:

19 1. Each chapter of the Wisconsin administrative code that has been affected by  
20 rules filed with legislative reference bureau under s. 227.20 (1), in accordance with  
21 sub. (3) (e) 1.

22 2. Any other chapters of the administrative code determined by the legislative  
23 reference bureau to be appropriate for publication due to corrections made under s.  
24 13.92 (4) (b) or 35.17 or due to the addition of editorial notes.



1           3. Instructions or information to help the user to correctly identify insertions  
2     and deletions in the Wisconsin administrative code and that keep the Wisconsin  
3     administrative code current.

4           (d) The legislative reference bureau shall number each issue consecutively.

5           (e) Any document required to be included in the Wisconsin administrative  
6     register shall be considered published under par. (a) if the document can be accessed  
7     from the register's table of contents by the use of one or more hypertext links.

8           **(3) WISCONSIN ADMINISTRATIVE CODE.** (a) The legislative reference bureau shall  
9     electronically publish the Wisconsin administrative code on the Internet in one or  
10    more electronic file formats, as the legislative reference bureau determines. The  
11    legislative reference bureau may electronically publish the Wisconsin  
12    administrative code on other electronic media in one or more electronic file formats,  
13    as the legislative reference bureau determines.

14          (b) Except as otherwise provided in s. 227.21 (2), the legislative reference  
15    bureau shall include in the Wisconsin administrative code published under par. (a)  
16    all permanent rules in force, except that the legislative reference bureau may omit  
17    tables and graphic images from publication in a particular electronic file format if  
18    the legislative reference bureau determines that the tables and graphic images are  
19    incompatible with that electronic file format. If the legislative reference bureau  
20    omits tables or graphics under this paragraph, the legislative reference bureau shall  
21    insert a note following the affected provision identifying the omission and providing  
22    a hypertext link providing electronic access to the table or graphic image. The  
23    legislative reference bureau shall at all times publish the administrative code on the  
24    Internet in at least one electronic file format that allows for publication of all tables  
25    and graphic images contained in the administrative code.

1 (c) The legislative reference bureau shall include all of the following with each  
2 chapter of the Wisconsin administrative code published under par. (a):

3 1. The date and issue number of the Wisconsin administrative register in which  
4 the chapter is published.

5 2. The name of the promulgating agency.

6 3. A chapter title and number.

7 4. A table of contents for the chapter.

8 5. A notice stating that the chapter is published under the authority granted  
9 by this subsection.

10 (d) The legislative reference bureau shall include with the Wisconsin  
11 administrative code a table of contents and an index of all permanent rules currently  
12 in effect.

13 (e) The legislative reference bureau shall incorporate into the appropriate  
14 chapters of the Wisconsin administrative code each permanent rule filed with the  
15 legislative reference bureau under s. 227.20 (1) and, for each chapter of the  
16 administrative code affected by a rule, do all of the following:

17 1. Publish the chapter in the appropriate end-of-month register in accordance  
18 with the filing deadline for publication established in the rules procedures manual  
19 published under s. 227.15 (7) or in an end-of-month register agreed to by the  
20 submitting agency and the legislative reference bureau.

21 2. Publish the chapter in the Wisconsin administrative code published on the  
22 Internet on the first day of the month following the date of publication of the  
23 end-of-month register in which the chapter is published under subd. 1. and sub. (2)

24 (c) 1. and publish the chapter in the Wisconsin administrative code published on any

1 other electronic media under par. (a) on or after the day after the date of publication  
2 of that end-of-month register.

3 3. If the chapter is affected by a rule that adopts standards under s. 101.055  
4 (3) (a) or 227.21 (2) (a), publish, in conjunction with the publication of the chapter  
5 under subd. 2., any Web addresses provided under s. 101.055 (3) (a) or 227.21 (2) (c).

6 (f) If a chapter of the Wisconsin administrative code is published in an  
7 end-of-month register under sub. (2) (c) 2., the legislative reference bureau shall  
8 publish the chapter in the Wisconsin administrative code published on the Internet  
9 on the first day of the month following the date of publication of that end-of-month  
10 register and shall publish the chapter in the Wisconsin administrative code  
11 published on any other electronic media under par. (a) on or after the day after the  
12 date of publication of that end-of-month register.”.

13 **5.** Page 772, line 18: after that line insert:

14 “**SECTION 1599p.** 101.055 (3) (a) of the statutes is amended to read:

15 101.055 (3) (a) The department shall adopt, by administrative rule, standards  
16 to protect the safety and health of public employees. The standards shall provide  
17 protection at least equal to that provided to private sector employees under  
18 standards promulgated by the federal occupational safety and health  
19 administration; but no rule may be adopted by the department which defines a  
20 substance as a “toxic substance” solely because it is listed in the latest printed edition  
21 of the national institute for occupational safety and health registry of toxic effects of  
22 chemical substances. The department shall revise the safety and health standards  
23 adopted for public employees as necessary to provide protection at least equal to that  
24 provided to private sector employees under federal occupational safety and health

1 administration standards, except as otherwise provided in this paragraph.  
2 Notwithstanding ss. 35.93 and 227.21, if the standards adopted by the department  
3 are identical to regulations adopted by a federal agency, the standards need not be  
4 ~~duplicated published in full in the Wisconsin administrative code and register~~ as  
5 provided in ss. 35.93 and 227.21 if the identical federal regulations are made  
6 available to the public at a reasonable cost, and promulgated in accordance with ch.  
7 227, except s. 227.21, and distributed in accordance with s. 35.84. The department  
8 may provide to the legislative reference bureau one or more Web addresses to provide  
9 electronic access to any standards adopted under this paragraph for publication in  
10 conjunction with the publication of the Wisconsin administrative code and register  
11 under s. 35.93.”.

12 **6.** Page 894, line 24: after that line insert:

13 “**SECTION 1991p.** 227.01 (8m) of the statutes is created to read:

14 227.01 (8m) “Permanent rule” means a rule other than a rule promulgated  
15 under s. 227.24.”.

16 **7.** Page 895, line 10: after that line insert:

17 “**SECTION 1996bp.** 227.135 (3) of the statutes is amended to read:

18 227.135 (3) If the governor approves a statement of the scope of a proposed rule  
19 under sub. (2), the agency shall send an electronic copy of the statement to the  
20 legislative reference bureau, in a format approved by the legislative reference  
21 bureau, for publication in the register. On the same day that the agency sends the  
22 statement to the legislative reference bureau, the agency shall send a copy of the  
23 statement to the secretary of administration. The agency shall include with any  
24 statement of scope sent to the legislative reference bureau the date of the governor’s

1 approval of the statement of scope. The legislative reference bureau shall assign a  
2 discrete identifying number to each statement of scope and shall include that  
3 number and the date of the governor's approval in the publication of the statement  
4 of scope in the register.

5 **SECTION 1996d.** 227.14 (4m) of the statutes is amended to read:

6 227.14 (4m) NOTICE OF SUBMITTAL TO LEGISLATIVE COUNCIL STAFF. On the same  
7 day that an agency submits a proposed rule to the legislative council staff under s.  
8 227.15, the agency shall prepare a written notice of the agency's submittal to the  
9 legislative council staff. The notice shall include a statement of the date on which  
10 the proposed rule has been submitted to the legislative council staff for review, of the  
11 subject matter of the proposed rule and of whether a public hearing on the proposed  
12 rule is required, and shall identify the organizational unit within the agency that is  
13 primarily responsible for the promulgation of the rule. The notice shall also include  
14 a statement containing the identifying number of the statement of scope for the  
15 proposed rule assigned under s. 227.135 (3), the date of publication and issue number  
16 of the register in which the statement of scope is published, and the date of approval  
17 of the statement of scope by the individual or body with policy-making powers over  
18 the subject matter of the proposed rule under s. 227.135 (2). The notice shall be  
19 approved by the individual or body with policy-making powers over the subject  
20 matter of the proposed rule. The agency shall send an electronic copy of the notice  
21 to the legislative reference bureau, in a format approved by the legislative reference  
22 bureau, for publication in the register. On the same day that the agency sends the  
23 notice to the legislative reference bureau, the agency shall send a copy of the notice  
24 to the secretary of administration.

25 **SECTION 1996dp.** 227.16 (2) (e) (intro.) of the statutes is amended to read:

1           227.16 (2) (e) (intro.) The proposed rule and the fiscal estimate required under  
2     ~~s. 227.14 (4) are, as submitted to the legislative council staff under s. 227.15 (1), is~~  
3     ~~sent to the legislative reference bureau in an electronic format approved by the~~  
4     ~~legislative reference bureau and~~ published in the notice section of the register with  
5     a statement that the proposed rule will be promulgated without public hearing  
6     unless a petition is received by the agency within 30 days after publication of the  
7     notice, signed by any of the following:

8           **SECTION 1996f.** 227.17 (1) (a) and (b) of the statutes are amended to read:

9           227.17 (1) (a) Send written notice of the hearing, in an electronic format  
10     ~~approved by the legislative reference bureau,~~ to the legislative reference bureau for  
11     publication in the register and, if required, publish the notice in a local newspaper.

12          (b) Send an electronic copy of the written notice of the hearing under par. (a)  
13     to each member of the legislature who has filed a written request for notice with the  
14     legislative reference bureau. Upon request, the legislative reference bureau shall  
15     furnish an agency with the name and address of each legislator who has requested  
16     notice.

17          **SECTION 1996fp.** 227.17 (2) of the statutes is amended to read:

18          227.17 (2) The notice under sub. (1) shall be given at least 10 days prior to the  
19     date set for a hearing. Notice through the register is considered to have been given  
20     on the effective date of the issue of the register in which the notice first appears, ~~or,~~  
21     ~~if applicable, on the date prescribed under s. 227.22 (4).~~

22          **SECTION 1996h.** 227.17 (3) (b) of the statutes is amended to read:

23          227.17 (3) (b) ~~Either the text of~~ A copy of the proposed rule ~~in the form specified~~  
24     ~~in s. 227.14 (1), or an informative summary of the effect of the proposed rule. If the~~  
25     ~~agency chooses to publish an informative summary rather than the full text of a~~

1 ~~proposed rule, the notice shall include a description of how a copy of the text may be~~  
2 ~~obtained from the agency at no charge as submitted to the legislative council staff~~  
3 ~~under s. 227.15 (1).~~

4 **SECTION 1996hp.** 227.17 (3) (c) and (d) of the statutes are repealed.

5 **SECTION 1996j.** 227.17 (3) (e) of the statutes is repealed.

6 **SECTION 1996jp.** 227.17 (3) (em) of the statutes is amended to read:

7 227.17 (3) (em) ~~The economic impact analysis required under s. 227.137 (2),~~  
8 ~~any revised economic impact analysis required under s. 227.137 (4), and any Any~~  
9 ~~report prepared by the department of administration under s. 227.137 (6), or a~~  
10 ~~summary of that analysis and report and a description of how a copy of the full~~  
11 ~~analysis and report may be obtained from the agency at no charge.~~

12 **SECTION 1996L.** 227.19 (2) of the statutes is amended to read:

13 227.19 (2) An agency shall submit a notice to the chief clerk of each house of  
14 the legislature when a proposed rule is in final draft form. The notice shall be  
15 submitted in triplicate and shall be accompanied by a report in the form specified  
16 under sub. (3). A notice received under this subsection after the last day of the  
17 legislature's final general-business floorperiod in the biennial session as established  
18 in the joint resolution required under s. 13.02 (3) shall be considered received on the  
19 first day of the next regular session of the legislature, unless the presiding officers  
20 of both houses direct referral of the notice and report under this subsection before  
21 that day. The presiding officer of each house of the legislature shall, within 10  
22 working days following the day on which the notice and report are received, direct  
23 the appropriate chief clerk to refer the notice and report to one standing committee.  
24 The agency shall submit to the legislative reference bureau for publication in the  
25 register, in an electronic format approved by the legislative reference bureau, a

1 statement that a proposed rule has been submitted to the chief clerk of each house  
2 of the legislature. The agency shall also include in the statement the date of approval  
3 of the proposed rule by the governor under s. 227.185. Each chief clerk shall enter  
4 a similar statement in the journal of his or her house.

5 **SECTION 1996Lp.** 227.20 (1) of the statutes is amended to read:

6 227.20 (1) An agency shall file a certified copy of each rule it promulgates with  
7 the legislative reference bureau. No rule is valid until the certified copy has been  
8 filed. A certified copy shall be typed or duplicated on 8 1/2 by 11 inch paper, leaving  
9 sufficient room for a stamp at the top of the first page. Forms that are filed need not  
10 comply with the specifications of this subsection. The agency shall also send a copy  
11 of each rule to the legislative reference bureau in an electronic format approved by  
12 the legislative reference bureau.

13 **SECTION 1996n.** 227.21 (1) of the statutes is amended to read:

14 227.21 (1) All The legislative reference bureau shall publish all rules that  
15 agencies are directed by this chapter to file with the legislative reference bureau  
16 shall be published under s. 227.20 in the code and register and shall publish all  
17 permanent rules that agencies are directed by this chapter to file with the legislative  
18 reference bureau under s. 227.20 in the code, as required under provided in s. 35.93.

19 **SECTION 1996np.** 227.21 (2) (c) of the statutes is created to read:

20 227.21 (2) (c) An agency that adopts standards under par. (a) may provide the  
21 legislative reference bureau with one or more Web addresses to provide electronic  
22 access to the standards for publication in conjunction with the publication of the  
23 Wisconsin administrative code and register under s. 35.93.

24 **SECTION 1996p.** 227.22 (1) of the statutes is amended to read:



1           227.22 (1) In this section, “date of publication” means the first date on which  
2   ~~an issue of the register is mailed to any person entitled under s. 35.84 to receive it~~  
3   a register is published under s. 35.93 (2).

4           **SECTION 1996pp.** 227.22 (2) (d) of the statutes is repealed.

5           **SECTION 1996r.** 227.22 (4) of the statutes is repealed.

6           **SECTION 1996rp.** 227.24 (1) (e) 2. of the statutes is amended to read:

7           227.24 (1) (e) 2. Prepare a fiscal estimate ~~of~~ for the rule in the format prescribed  
8   under s. 227.14 (4) ~~and~~, mail the fiscal estimate to each member of the legislature,  
9   and send a copy of the fiscal estimate to the legislative reference bureau in an  
10   electronic format approved by the legislative reference bureau, not later than 10 days  
11   after the date on which the rule is published.

12          **SECTION 1996t.** 227.24 (3) of the statutes is amended to read:

13          227.24 (3) FILING. An agency shall file a rule promulgated under sub. (1) as  
14   provided in s. 227.20, shall mail a copy to the chief clerk of each house and to each  
15   member of the legislature at the time that the rule is filed and shall take any other  
16   step it considers feasible to make the rule known to persons who will be affected by  
17   it. The legislative reference bureau shall insert in the notice section of each issue of  
18   the register a brief description of each rule under sub. (1) that is currently in effect,  
19   and a copy of the rule and fiscal estimate. Each copy, notice or description of a rule  
20   promulgated under sub. (1) (a) shall be accompanied by a statement of the emergency  
21   finding by the agency or by a statement that the rule is promulgated at the direction  
22   of the joint committee for review of administrative rules under s. 227.26 (2) (b).

23          **SECTION 1996tp.** 227.40 (6) of the statutes is amended to read:

24          227.40 (6) Upon entry of a final order in a declaratory judgment action under  
25   sub. (1), the court shall ~~notify~~ send an electronic notice to the legislative reference

bureau of the court's determination as to the validity or invalidity of the rule, in a format approved by the legislative reference bureau, and the legislative reference bureau shall publish a notice of that determination in the Wisconsin administrative register under s. 35.93 (4) (2) and insert an annotation of that determination in the Wisconsin administrative code under s. 13.92 (4) (a).".

**8.** Page 996, line 10: after that line insert:

"**SECTION 2317p.** 889.01 of the statutes is amended to read:

**889.01 Publication by state as evidence of laws.** Books, pamphlets and other documents purporting to be printed by the state as copies of its statutes, legislative acts and resolutions, senate and assembly journals or orders, rules, regulations or decisions of any of its boards, departments, commissions or agencies, are prima facie evidence that they are such publications as they purport to be, and are correct copies of such statutes, acts, resolutions, journals, orders, rules, regulations and decisions, respectively; and such printed journals of said houses, respectively, are prima facie evidence of their proceedings. Electronic documents purporting to be published by the legislative reference bureau under ss. 35.095 (3) (a), 35.18 (1) (b), and 35.93 as copies of Wisconsin's statutes, legislative acts, or administrative rules are prima facie evidence that they are such publications as they purport to be and are correct copies of such statutes, legislative acts, and administrative rules.".

**9.** Page 1023, line 3: after that line insert:

"(1q) STATEMENTS OF SCOPE OF PROPOSED RULES PUBLISHED PRIOR TO EFFECTIVE DATE OF 2011 WISCONSIN ACT 21.

1 (a) Notwithstanding section 227.14 (4m) of the statutes, as affected by this act,  
2 if an agency's statement of the scope of a proposed rule under section 227.135 of the  
3 statutes was published in the Wisconsin Administrative Register prior to June 8,  
4 2011, the notice required under section 227.14 (4m) of the statutes, as affected by this  
5 act, need not include an identifying number for the statement of scope for the  
6 proposed rule or the date of approval of the statement of scope for the proposed rule  
7 by the individual or body with policy-making powers over the subject matter of the  
8 proposed rule under section 227.135 (2) of the statutes.

9 (b) Notwithstanding section 227.19 (2) of the statutes, as affected by this act,  
10 if an agency's statement of the scope of a proposed rule under section 227.135 of the  
11 statutes was published in the Wisconsin Administrative Register prior to June 8,  
12 2011, the agency shall include in its notice under section 227.19 (2) of the statutes,  
13 as affected by this act, a statement of the date and issue number of the the register  
14 in which the statement of scope for the proposed rule was published, in lieu of a  
15 statement of the governor's date of approval of the proposed rule.

16 (1r) REFUNDS FOR ADVANCE PAYMENTS FOR PRINTED WISCONSIN ADMINISTRATIVE  
17 CODE AND REGISTER. Notwithstanding section 35.93 (7), 2011 stats., upon request, the  
18 department of administration shall refund to any person the pro rata share of any  
19 advance payment made by that person for printed copies of the Wisconsin  
20 administrative code or Wisconsin administrative register that were to be delivered  
21 to the person on or after the effective date of this subsection.”.

22 **10.** Page 1064, line 12: after that line insert:

23 “(1q) PUBLICATION OF RULES IN REGISTER. The treatment of section 227.22 (1), (2)  
24 (d), and (4) of the statutes first applies to rules published in the register under section

1 35.93 (2) (c) 1. of the statutes, as affected by this act, on the effective date of this  
2 subsection.”.

3 **11.** Page 1076, line 4: after that line insert:

4 “(1q) PUBLICATION OF ADMINISTRATIVE CODE AND REGISTER. The repeal of sections  
5 35.84 (figure) columns C and F, 227.17 (3) (c), (d), and (e), and 227.22 (2) (d) and (4)  
6 of the statutes, the amendment of sections 13.92 (4) (a), 35.05 (1), (2) (b), and (3),  
7 35.50 (2) and (3), 35.56 (1) (a), 35.81 (3), the unnumbered title preceding 35.93,  
8 101.055 (3) (a), 227.135 (3), 227.14 (4m), 227.16 (2) (e) (intro.), 227.17 (1) (a) and (b),  
9 (2), and (3) (b) and (em), 227.19 (2), 227.20 (1), 227.21 (1), 227.22 (1), 227.24 (1) (e)  
10 2. and (3), and 227.40 (6) of the statutes, the repeal and recreation of section 35.93  
11 of the statutes, the creation of sections 13.92 (1) (f) 3. and 4., 20.505 (1) (fz), 227.01  
12 (8m), and 227.21 (2) (c) of the statutes, and SECTIONS 9127 (1q) and (1r) and 9327 (1q)  
13 of this act take effect on January 1, 2015.

14 (1r) REFUNDS FOR SUBSCRIPTIONS TO ADMINISTRATIVE CODE AND REGISTER. The  
15 repeal of section 20.505 (1) (fz) of the statutes takes effect on July 1, 2015.”.

16 (END)